

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
) CR. NO. 2:23-CR-00125-ECM-KFP
)
KYLE BENJAMIN DOUGLAS CALVERT)

MOTION FOR DETENTION

Pursuant to 18 U.S.C. § 3142(e) and (f), the United States of America moves for detention of the defendant.

1. Eligibility of Cases

This case is eligible for a detention order because this case involves:

- X 10 + year crime of violence (18 U.S.C. § 3156)
- X 10 + year federal crime of terrorism (18 U.S.C. § 2332b(g)(5)(B))
- Maximum sentence of life imprisonment or death
- 10 + year drug offense
- Felony, with at least two prior convictions in the above categories
- Felony involving a minor victim
- X Felony involving possession or use of a firearm or other destructive device
(as defined by 18 U.S.C. § 921) or any other dangerous weapon
- Failure to register as a sex offender (18 U.S.C. § 2250)
- X Serious risk the defendant will flee
- X Serious risk of obstruction of justice

2. Reason for Detention

The Court should detain defendant because there are no conditions of release which will

reasonably assure:

- X Defendant's appearance as required.
- X Safety of any other person and the community

3. Rebuttable Presumption

The government will invoke the rebuttable presumption against defendant under Section 3142(e).

- Previous conviction for "eligible" offense committed while on pretrial bond, and a period of five years has not elapsed from defendant's conviction or release from imprisonment for the offense described
- Probable cause to believe defendant committed 10 + year drug offense or probable cause to believe that defendant committed a crime in which a firearm was used or carried under Section 924(c)
- Probable cause to believe defendant conspired to kill, kidnap, maim, or injure persons in a foreign country as prohibited under 18 U.S.C. § 956(a)
- X Probable cause to believe defendant committed act of terrorism transcending national boundaries (18 U.S.C. § 2332) or a 10 + year federal crime of terrorism as defined in 18 U.S.C. § 2332b(g)(5)(B)
- Probable cause to believe defendant committed 10 + year offense involving a minor victim

4. Time for Detention Hearing

The government requests the Court conduct the detention hearing:

- At the initial appearance
- X After continuance of 3 days

The government also requests leave of court to file a supplemental motion with additional grounds or presumption for detention should this be necessary.

Respectfully submitted this 10th day of April, 2024.

JONATHAN S. ROSS
ACTING UNITED STATES ATTORNEY

/s/ Russell T. Duraski
Russell T. Duraski
Assistant United States Attorney
131 Clayton Street
Montgomery, AL 36104
Phone: (334) 223-7280
Fax: (334) 223-7135
E-mail: Russell.Duraksi@usdoj.gov